

REMARKS/ARGUMENTS

With this response, Claims 1-21 are pending in this application.

Rejection of Claims 1-5, 7-12, 14-19, and 21 under 35 U.S.C. §102 (e) as being anticipated by Mizui, et al (US Publication No. 2004/0198254):

In response to the Office Action dated February 23, 2006, applicant hereby submits a Declaration of prior invention in the United States under 37 C.F.R. §1.131 to overcome the cited United States Patent Publication (US Publication No. 2004/0198254 to Mizui). Applicant respectfully submits that the rejection of claims 1-5, 7-12, 14-19, and 21 under 35 U.S.C. § 102(e) as being anticipated by the Mizui publication is moot in view of the submitted Declaration.

Rejection of Claims 6, 13, and 20 under 35 U.S.C. §103(a) as being unpatentable over Mizui, et al (US Publication No. 2004/0198254):

In response to the office action dated February 23, 2006, applicant hereby submits a declaration of prior invention in the United States under 37 C.F.R. §1.131 to overcome the cited United States Patent Publication (US Publication No. 2004/0198254 to Mizui). Applicant respectfully submits that the rejection of claims 6, 13, and 20 under 35 U.S.C. § 103(a) as being unpatentable over the Mizui publication is moot in view of the submitted declaration.

The other references of record have been reviewed and applicant's invention is deemed patentably distinct and nonobvious over each taken alone or in combination.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants.


In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge Deposit Account 502117, Motorola, Inc, with any fees which may be required in the prosecution of this application.

Respectfully submitted,

April 18, 2006
Enclosure

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